

## Remarks

### Restriction Requirement

In the above-identified Office Action, the examiner has issued a restriction requirement and requires election of one of the following groups under 35 U.S.C. § 121:

- Group I: Claims 1-26 and 55-75, drawn to a method/system for land-based distribution of permeate, classified in class 210, subclass 170 or 747.
- Group II: Claims 27-41, 76-87 drawn to system for disaster relief, classified as class 137 subclass 561R+.
- Group III: Claims 42-54, 88-100 drawn to system/method for mitigating environmental impacts of desalination, class 422 sub class 900.
- Group IV: Claims 101-159, drawn to a vessel comprising a water purification system, classified in class 210, subclass 259.
- Group V: Claims 160-181, drawn to method of producing permeate on a floating structure, classified in class 210, subclass 747.
- Group VI: Claims 182-188, drawn to computer readable medium, classified in class 700, subclass 95.
- Group VII: Claims 189-198 and 225-234, drawn to system/method for energy production, classified in class 60, subclass 203.1.
- Group VIII: Claims 199-207 and 235-244, drawn to combination of energy production and desalination, classified in class 60, subclass 203.1 and class 210 subclass 747.
- Group IX: Claims 208-224 and 245-256, drawn to apparatus and process of a vessel (ship) having a tank in combination with desalination, classified in class 114, subclass 74R and class 210 subclass 747.

Applicants hereby elect without traverse Group I (Claims 1-26 and 55-75), drawn to a method/system for land-based distribution of permeate, classified in class 210, subclass 170 or 747.

## Species Election

In the Office Action, the examiner has also issued a species election requirement.

According to the examiner, the claims are generic to a plurality of disclosed patentably distinct species. In the Office Action, the examiner grouped the species into six different groups (i.e., groups A, B, C, D, E, and F) according to particular themes and required election of a single species group from A-D and F, a single species from the elected group, and from group E, one tank material and tank paint. The examiner further required identification and election of the claims belonging to the elected species. The groups and their respective species, according to the Office Action, are as follows:

Group A Transportations:	tug barge/vessel floating pipeline sea floor stabilized/embedded railroad truckling airborne/sea plane/helicopter store of disaster provisions transfer vessel means
Group B Dispersion Systems:	divergent apertures extending discharge member floating hose catenary above water level below water level surrounding propulsion device moving dispersion devices mixing tank
Group C Noise Reduction:	piping encasement vibration dampeners
Group D Power Generation:	propulsion device electrical device windmills heat recovery pressure recovery

Group E Tank:

Material: Elect one material from the many claimed in different Markush groups

Paint: Elect one paint from the many

Group F Miscellaneous:

corrosion control  
permeate conditioning  
permeate disinfection  
packaging system  
exhaust cleaning scrubber  
exhaust cleaning filter

If no generic claim within Group I is held allowable, applicants provisionally elect with traverse the species “sea floor stabilized/embedded” from Group A, i.e., claims 9, 10, 63, and 64 on which generic claims 1 and 55 read.

The species election requirement is traversed because a search for the species recited in elected Group I would not be unduly burdensome. 37 CFR 1.141 specifically states that “more than one species of an invention, not to exceed a reasonable number, may be specifically claimed in different claims in one national application, provided the application also includes an allowable claim generic to all the claimed species and all the claims to species in excess of one are written in dependent form or otherwise include all the limitations of the generic claim.” The present application does contain claims generic to all the claimed species and all the claims to species in excess of one are written in dependent form.

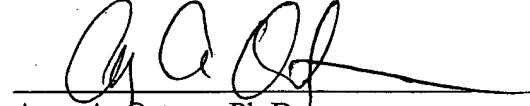
Accordingly, reconsideration and withdrawal of the outstanding species election under 35 U.S.C. §121 is respectfully requested.

The examiner is cordially invited to call the undersigned if clarification is needed on any matter within this response, or if the examiner believes a telephone interview

would expedite the prosecution of the subject application to completion.

Respectfully submitted,

Date: October 17 201

  
Amy A. Ostrom Ph.D.  
Registration No. 52,088  
RUDEN McCLOSKY, SMITH,  
SCHUSTER & RUSSELL, P.A.  
222 Lakeview Avenue  
Suite 800  
West Palm Beach, FL 33401-6112  
Telephone: (561) 838-4539  
Facsimile: (561) 514-3439

Docket No. 8021-30